

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, claim 1 has been amended to delete several of the groups in the definition for W. Please note that the last two groups in the definition for W have been changed to $-(CH_2)_2CF_2O-$ or $-OCF_2(CH_2)_2-$, adding the subscript 2 for each of the (CH_2) groups, on the basis of the disclosure at page 7, line 13 of the specification.

Amended claim 1 also rewords the proviso in the last two lines concerning when m is zero, in order to exclude compound No. 202 (from the Tamura et al. reference) expressed by the Examiner toward the bottom of page 4 of the Office Action.

Where necessary, the other claims have been amended, or cancelled, consistent with the amendments to claim 1, which is the only independent claim in the application.

Applicants respectfully submit that the foregoing amendments should be entered, even though they are being presented after a final rejection, since the effect of the amendments is to clearly place the application in condition for allowance, as will be shown below.

The patentability of the presently claimed invention over the disclosures of the references relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 1-2, 36-44 and 46 under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) as being anticipated or suggested by Tamura et al. (US '303) is respectfully traversed.

Referring to amended claim 1, Applicants have now clarified that in formulas (1) and (2), $j = k = 0$ when $m = 0$. Thus, referring to the Examiner's comments concerning compound No. 202 from the reference, the condition that $m = 0$ and $j = k = 1$ is excluded from formulas (1) and (2) in the present claims, and thus, compound No. 202 of Tamura et al. is excluded from the presently claimed compounds. Accordingly, Applicants respectfully submit that the rejection based on this reference should be withdrawn.

The rejection of claims 1-15, 23, 25-26, 28-30, 36-40 and 46 under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) as being anticipated or suggested by DE 4,338,348 is respectfully traversed.

The linking group in formulas Ib2, Ib3, Ib4, Io3 and Io6 of the DE '348 reference is $-(CH_2)_2-$. As indicated in amended claim 1 set forth above, this linking group has been deleted from the definition for W, thus avoiding the DE '348 reference.

Applicants also note that the only compounds in DE '348 which were actually synthesized and for which properties are shown, are the compounds in which Z¹ is a single bond.

For these reasons, Applicants take the position that the rejection based on this reference should also be withdrawn.

In response to the double patenting rejections in items 6 and 7 on page 11 of the Office Action, Applicants are submitting, concurrently herewith, a Terminal Disclaimer. Please note that Serial No. 11/108,002 referred to by the Examiner in item 7 of the Office Action was issued on October 27, 2009 (after the mailing date of the Office Action) as US 7,608,199. Therefore, the Terminal Disclaimer refers to the '199 patent instead of the '002 application.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of objection and rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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